

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

TERNECIA D. WILSON,)	
)	
Plaintiff,)	
)	
v.)	CIV. ACT. NO. 1:19-cv-137-ECM
)	(WO)
RON WILSON, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OPINION and ORDER

Now pending before the court is the Report and Recommendation of the Magistrate Judge (doc. 12) which recommends that this case be dismissed prior to service of process in accordance with 28 U.S.C. § 1915(e)(2)(B)(ii). On March 19, 2020, the Plaintiff filed objections to the Recommendation. (Doc. 13). The Court has carefully reviewed the record in this case, including the Magistrate Judge's Report and Recommendation, and the Plaintiff's objections. *See* 28 U.S.C. § 636(b).

When a party objects to a Magistrate Judge's Report and Recommendation, the district court must review the disputed portions *de novo*. 28 U.S.C. § 636(b)(1). The district court "may accept, reject, or modify the recommended disposition; receive further evidence; or resubmit the matter to the magistrate judge with instructions." FED.R.CIV.P. 72(b)(3). *De novo* review requires that the district court independently consider factual issues based on the record. *Jeffrey S. ex rel. Ernest S. v. State Bd. of Educ.*, 896 F.2d 507, 513 (11th Cir. 1990). *See also United States v. Gopie*, 347 F. App'x 495, 499 n.1 (11th Cir. 2009). However, objections to the Magistrate Judge's Report and Recommendation must

be sufficiently specific in order to warrant *de novo* review. *See Macort v. Prem, Inc.*, 208 F. App'x 781, 783-85 (11th Cir. 2006). Otherwise, a Report and Recommendation is reviewed for clear error. *Id.*

The Court has reviewed the Plaintiff's objections which largely mirror her complaint as amended, and she has not identified any factual or legal bases for her objections to the Magistrate Judge's Recommendation. Her objections to the Report and Recommendation lack specificity and fail to state any basis for her objections. Reviewing the Report and Recommendation for clear error, the Court concludes that the record supports the Magistrate Judge's findings and conclusions of law. Accordingly, for the reasons as stated and for good cause, it is

ORDERED as follows:

1. The Plaintiff's objections (doc. 13) are OVERRULED;
2. The Recommendation of the Magistrate Judge (doc. 12) is ADOPTED; and
3. This matter is DISMISSED prior to service of process in accordance with 28 U.S.C. § 1915(e)(2)(b).

A final judgment will be entered.

DONE this 30th day of March, 2020.

/s/ Emily C. Marks
EMILY C. MARKS
CHIEF UNITED STATES DISTRICT JUDGE